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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN ILLINOIS

Gerald Meachum #07687-424
P.O. Box 8000, FCI-McKean
Bradford, PA 16701
(Name & Address of Prisoner)

Petitioner,

VS.

UNITED STATES OF AMERICA,
UNITED STATES ATTORNEY'S OFFICE
NORTHERN DISTRICT OF ILLINOIS,

Respondent.

✱

* Civil Action No. _____
(Supplied by Clerk)

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08CV 776
JUDGE LEINENWEBER
MAGISTRATE JUDGE COLE

**PETITION FOR WRIT OF HABEAS CORPUS UNDER THE "SAVINGS CLAUSE"
OF TITLE 28 U.S.C. § 2255, ¶ 5, BY A FEDERAL PRISONER**

COUNSEL FOR PETITIONER

Gerald Meachum
P.O. Box 8000
Bradford, PA 16701
Register No. 07687-424

1. Name and location of court which entered the judgment of conviction under attack: United States District Court for the Northern District of Illinois, Eastern Illinois, 219 S. Dearborn Chicago, Illinois, 60604.
2. Date of judgment of conviction: June 09, 1998.
3. Length of sentence: Four hundred and Eighty-eight months.
4. Nature of offense involved(all counts): 18 USC § 1951, Conspiracy Attempt to Commit Robbery, Counts 1, 3, & 4; 18 USC § 924(c), Use of firearm in relation to crime of violence, Counts 6 & 7; 18 USC § 241, Conspiracy to deprive the civil rights of others, Count 5.
5. What was your plea? Not guilty.
6. If you pleaded not guilty, what kind of trial did you have? Jury trial.
7. Did you testify at trial? No.
8. Did you appeal from the judgment of conviction? Yes.
9. If you did appeal, answer the following:
 - a. Name of court United States Court of Appeals, Seventh Circuit.
 - b. Result Conviction Affirmed.
 - c. Date of result July 15, 1999.
10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications or motions with respect to this judgment in any federal court ?
I do not have anything pending in any court.
11. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:
 - a) At preliminary hearing, arraignment and plea, trial, and Sentencing, Scott J. Frankel, 77 West Washington St., Chicago, Illinois 60602. And Appeal.
 - b) In any post-conviction proceedings James Tunick, 10 S.- Lasalle, Suite 130, Chicago, Illinois 60603. And the Appeal.

Ground One: PETITIONER IS ACTUALLY AND FACTUALLY
INNOCENCE OF A VIOLATION OF FEDERAL
STATUTE, 18 U.S.C. § 1951 AS CHARGED
BY THE UNITED STATES OF AMERICA

STATEMENT OF FACTS: On June 11,1997, Petitioner was allegedly
charged in a Superseding Indictment for an alleged violation
of 18 U.S.C. § 1951. The petitioner did not affect Interstate
Commerce as required under 18 U.S.C. § 1951 and is Actually
and Factually Innocent of the charge under the law.

Ground Two: PETITIONER IS ACTUALLY AND FACTUALLY
INNOCENT OF A VIOLATION UNDER TITLE
18 U.S.C. § 1951 DUE TO THE WAY THAT
HE HAS BEEN CHARGED CONTRARY TO THE
INTENT OF CONGRESS'S SUBSTANTIAL
EFFECT ON INTERSTATE COMMERCE, THIS
CONSTITUTES, **MISAPPLICATION OF THE LAW**

STATEMENT OF FACTS: On June 11,1997, Petitioner was allegedly
charged in a Superseding Indictment for an alleged violation
of 18 U.S.C. § 1951. The petitioner did not affect Interstate
Commerce as required by Congress when creating said act.

STATEMENT CONCERNING PETITION

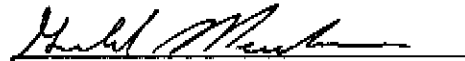
Petitioner submits this petition in accordance to the Congressional
Mandate under Title 28 U.S.C. § 2255, ¶ 5 e.g., "Savings Clause"
for Federal Prisoner's before he seeks habeas corpus relief in
the district of confinement. Petitioner is not attacking the length
of his sentence nor the jury verdict concerning matters at trial,
petitioner is attacking the legality of his detention in accordance
to 28 U.S.C. § 2255, ¶ 5. Petitioner is seeking habeas corpus
review which under the Congressional Mandate he is required to comply
with as a remedy similar to the "Great Writ".

RELIEF SEEKING

- 1) Petitioner seeks the Court to Order the United States to SHOW CAUSE to the Petitioner's claims within 10 days.
- 2) Petitioner seeks the Court to Order a fact finding hearing by having the petitioner transported from FCI-MCKEAN to the Court within 30 days after the United States reply.
- 3) Determine the facts and dispose of the matter as law and justice requires.

Wherefore, Petitioner prays that this court grants him the Remedy of habeas corpus under the "Savings Clause" e.g. 28 USC § 2255, ¶5.

Respectfully submitted,



Gerald Meachum
P.O. Box 8000
Bradford, PA 16701
Register No. 07687-424

Executed this 25th day of January, 2008

BY: 